

April 2, 1984

LB 692

belong to this stupid co-op or whatever they want to call it that the doctors belong to or they are protected by this. Some of the doctors think it is foolish that one day there will be a court case and it will be found unconstitutional and I really think it is. The people of Nebraska can be sued for millions, but doctors are sacred. I would urge the adoption of Senator Kilgarin's amendment, but I think we all know that the votes aren't here. Thank you.

SPEAKER NICHOL: Senator Howard Peterson.

SENATOR H. PETERSON: Mr. Chairman, I call the question.

SPEAKER NICHOL: Thank you, you were the last one. Senator Kilgarin, would you close, please.

SENATOR KILGARIN: Thank you, Mr. President, you know I think a lot of times when we talk about medical malpractice there is not a lot of talk because it is a complicated issue. Many of the problems in the statute are very legalistic and difficult to figure out. They are very technical. Let me give you the bottom line. Senator Pappas and Senator DeCamp say that LB 692 corrects some of the problems. Indeed it does. Some of the problems. Not all of the problems. We have that opportunity today though. We have the opportunity to correct all of the problems with our Medical Liability Act. One of the problems we can correct you can read about in a little handout I just gave you about Francis Oughtenbough (phonetic). When she was 63 years old about four years ago her doctor gave her an overdose. She is a mother of seven children. She was healthy. She was normal. She spent her life raising those children. She now is confined to a wheelchair. It has been four years and she still hasn't been able to get to court to at least try the case to see if the doctor was negligent. Now you tell me that is not obstructing justice. This statute, this act obstructs justice. It is unfair to the citizens of Nebraska and it is about time we face up to the fact, forget the special interest lobbies, bring this bill back to Select File, adopt the amendment, return to the traditional concepts of our civil law and give these poor folks a chance. I'd appreciate your support. I think we brought